

Tenants Told That Homes Are 'Vacant' Sept. 30

Continued from page one

a million rent-paying Jews, will meet Tuesday night at 115 East Broadway.

Mr. Hilky declared there is no reason why the new laws should in any way intimidate prospective builders or halt realty deals.

After "Bandit Landlords"

"The measures," he said, "are directed at the landlord who sticks a gun in the face of a tenant and holds him up for all he can get. The laws, if anything should encourage building and discourage speculation. They will enable property owners to realize a fair and reasonable return on investments."

According to Mr. Hilky, many landlords have already notified their tenants that the rents will be increased 25 per cent at the expiration of present leases.

A tenant who has been told that his apartment will be "vacant" at the expiration of his lease need not vacate, Mr. Hilky says. If he is unable to find other quarters he can stay on. Such a case is known as a "holdover."

When the landlord institutes dispossession proceedings the tenant can ask the court for a thirty-day stay in which to find other quarters. If this is granted he pays in advance a month's rent to the court at a figure which is considered just.

Six Months' Reprieve Possible

The tenant, said Mr. Hilky, by applying to the court at thirty-day intervals, can remain six months after the expiration of the lease before the landlord would be able to execute a dispossession warrant. Which means that a tenant who has been notified on September 30 can hold over until March 30 providing he shows to the satisfaction of the court that he has made an honest effort to obtain other accommodations.

Landlords apparently have notified tenants that they must give up their apartments so as to be able to rent to new tenants at a greatly increased price. This, Mr. Hilky said, was a subterfuge and an attempt to evade the new laws. "Landlords," he declared, "will not be allowed to duck the issue in that way."

The law seems to be a general misunderstanding regarding the 25 per cent increase. The law does not mean that landlords can indiscriminately boost their rents 25 per cent.

"The law provides for certain defenses which may be interposed in a summary dispossession proceedings where the landlord seeks to recover possession of premises for non-payment of rent. The tenant may interpose the claim that the rent which is due is unjust, oppressive and unreasonable."

Where rent has been increased 25 per cent over that of a year ago, this fact shall be presumptive evidence that the rent is oppressive and unjust.

"At any time and under any circumstances when a tenant thinks he is paying an unfair rent he can go into court and protest. He will have to prove, however, that the rent is oppressive."

Realty Owners to Help Both Sides

Stewart Browne, of the United Real Estate Owners' Association, said that members of the organization are alert to the seriousness of the housing problem and that they will give aid to landlords and tenants alike in the interpretation of the new rent laws.

It is understood that Edward P. Doyle, legislative agent of the Real Estate Board of New York and chairman of the board's budget committee, will appear at Albany to-morrow on behalf of realty interests. He will ask the Legislature to exempt new buildings and buildings under reconstruction from the provisions of the new law. He also will ask that all buildings erected in the next five years be exempted from state and municipal taxes.

Persons living at 233 West Eighty-third Street have been notified that they must vacate on September 30, when their leases expire.

These tenants include: Hannan Pollock, playwright; E. Ray Comstock, producer, and Edith Taliaferro, actress. Homer Loomis, a lawyer, who lives in the building, will take action in behalf of himself and the distressed tenants.

Frank Mann, Tenement House Commissioner, in a statement given out, charged that the so-called bachelor or non-housekeeping apartments are being occupied illegally as tenement houses. He said that were it not for the housing shortage he would prosecute the owners and order the houses to be vacated.

Murphy Opposes Tenement Plan

"An attempt to legalize illegal practices which are going on constantly and one that cannot possibly help the housing situation" is the way John J. Murphy, former Tenement House Commissioner, yesterday characterized the movement to modify the law regarding the conversion of four-story houses into tenements. He declared he could see no other possible interpretation of the movement.

On the other hand, the plan which its advocates declare would make 15,000 such houses available, and thus give homes to 60,000 families, has the mild support of the Tenement House Commissioner, Frank Mann. He believes the present law is too drastic, and that serious dangers are being caused through evasion thereof by landlords. He, however, does not believe that it will materially help the housing situation.

Leading real estate interests have told members of the Lockwood joint legislative committee that there is already in existence housing for 60,000 people, if the law can be amended a little. The movement has centered behind the Dodge bill, which would give the Board of Appeals power to change or annul any part of the tenement house law, and has not put its plans into detailed form.

The thing that is most desired is to remove the stringent provisions re-

garding the fireproofing of the stairways in the converted houses. Under the law which was passed at the special session last summer the stairs themselves must be fireproof, the floors of the stairway halls either fireproof or equipped with steel beams, and the walls of four-inch terra cotta blocks. Under the amendment desired the use of fire-resisting material, such as steel lath and heavy plaster, on the walls of the halls would be sufficient. Another point at issue is whether there can be one dark room to a flat.

Foresees Danger to Life

Mr. Murphy, who is chairman of the tenement house committee of the Charitable Organization Society, believes that the changes would cause great danger to life through fire, would accomplish nothing toward increasing housing and would legalize thousands of illegal and dangerous conversions which have been made outside the tenement house law.

"There is no such number of vacant dwellings as has been said," he declared. There are in Manhattan only 3,500 buildings were erected as tenements, and in the whole city only about 150,000, including summer cottages at Arverne, and all. So, if there were 15,000 vacant it would mean that one in ten of the city's houses are unoccupied, which is preposterous. The total relief which would be given if all the vacant structures were changed would be very small.

"But there is another point much more important. Landlords have found a way of evading the law and converting the old house in a way that is exceedingly dangerous. They make them 'non-housekeeping' apartments and are technically outside the tenement house law. Housekeeping goes on in practically all of them, and they are virtually all fire traps. The proposed changes would make these fire traps legal."

They would not result in more flats, because the present plan is far more profitable to the landlord. The alterations can be made at little cost—far less than would be possible even under a modified tenement house law. And when they are done he will get exactly twice as many people into the house as he would if he had turned it into flats. So his income will be almost double and at less cost. He doesn't intend to change, but he would like to be inside the law in his present game.

Would Not Provide Housing

"The people who urge this point of view are much like the celebrated town council which resolved that the town need a new jail, that it be built out of the materials of the old structure and that the prisoners be kept in the old prison until the new one was built. They want to make flats out of houses that are already housing more people than they would if the flats were finished."

"The city has been playing in luck that there have been no disasters from fire in such houses of late, but by the law of averages some of them will soon be due, and then we shall have a demand for the punishment of the officials responsible, when the responsibility will really lie at the door of the people who have permitted these conditions to be created."

Commissioner Mann is even more caustic in his comments on the landlords who are using the "non-housekeeping" apartment plan, but he is mildly in favor of amending the fireproofing provisions in regard to converting the four-story houses. In a statement issued yesterday he says:

"There is no necessity for any such legislation as is being proposed, since the tenement house law can well take care of remodeling those houses under the present act, which was passed as an emergency measure at the special session last year. Or better still, the Legislature should amend that particular law to relieve the owners of some of the drastic provisions thereof."

Favored Changes in Law

"In this connection I desire to call attention to the fact that at a conference, to which the real estate interests were invited and the representatives of the tenement house reform committees were present, I suggested, and I agreed that I would advocate, the enactment of a law which would permit the four-story and basement private dwelling to be converted into a four-family tenement and permit one interior room on each floor and permit, furthermore, the use of the existing hall partitions, with a provision, however, that they be fireproofed with such material as would safeguard the occupants."

"The opposition, however was sufficiently strong to prevent its enactment, and instead had the law amended so that at the present time such houses may only be converted provided they are two rooms deep, and provided, furthermore, that the interior partition walls separating the rooms from the stair halls are torn out and rebuilt of brick or four-inch terra cotta blocks."

"The result has been that hardly any of the owners have taken advantage of the law, or rather I should say have subjected themselves to the disadvantages of converting their houses at the expense it would entail."

"The owners have found a new solution by which they are enabled to convert these houses into so-called 'bachelor,' or 'non-housekeeping' apartments without being obliged to make these expensive interior alterations of building a fireproof hall, and instead of putting in four families, put in as many as twelve or sixteen by creating one, two and three-room apartments, with interior rooms on all floors and no proper partition walls separating the apartments from the stair hall, and what is worse still, and seems to me almost criminal, without any fire escape provisions whatsoever, thus giving them no reasonable chance to escape and handicapping the firemen from coming to the fire from the outside."

"The statistics in this community show that all the fatalities at fires have occurred in non-tenements and not in tenement houses. In 22 per cent of these houses they have the necessary gas pipes running to a convenient place

with the necessary connection, and the necessary electric wiring, to which is attached a plug, and the cooking goes on quite merrily the same as it would in a tenement house. In other words, the houses are occupied illegally as tenement houses."

"If I am asked 'Why don't you prosecute? Why don't you take some aggressive action against these illegally converted houses?' my reply is that under the present housing crisis it would be a crime to vacate these houses by ejecting the people, since they have no other place to go, but the time will come when the supply will again meet the demand and then there is no doubt in my mind but that every one of these owners will be prosecuted and their houses declared to be illegal and they will be compelled to vacate them. It is my belief that these houses do not make for good citizenship or for the improvement of the human race. They are the best termed 'bitch control' houses, since no one brings a family into them or tries to raise one."

"I would not be opposed to an amendment which would permit the law affecting the converted house to be amended so that one interior room be permitted with such light and ventilation provisions as are now applicable to new law tenements, and to permit the use of the present partition walls with such fire-proofing as the department may require to safeguard the occupants."

Commissioner vigorously opposes the scheme for relaxing the laws in regard to old tenement houses. These, he says, are habitable but not desirable.

Grayson Confident of Wife

Believes Woman Slain by J. E. Larey Was Loyal

J. Edward Grayson, whose wife was shot to death at Southfield Park, N. Y., on Friday by J. Edward Larey, who then drowned himself, said yesterday that he was convinced there had been nothing wrong between his wife and Larey, who, he said, had been his warm personal friend.

Mr. Grayson said his confidence in his wife had not been shaken by the tragedy. He added that he had known Larey for years and that the trip that Mrs. Grayson and her little daughter Helen, nine years old, took to Goshen, N. Y., with the man had been made at his own suggestion. The three, Mr. Grayson said, had spent Thursday night at the home of Mrs. Grayson's father in the morning to Paterson when the tragedy occurred.

Policeman's Foot Ends Thief Chase

Shots Fail to Halt Fleeing Pair in Sixth Ave.; Tripped, Then Captured

A chase up Sixth Avenue for two alleged loft burglars, who were captured at Forty-seventh Street after a detective had fired three shots over the heads of the fugitives, thrilled thousands of theatergoers last night. Several hundred men and women joined in the pursuit, which ended only when a traffic policeman tripped the fleeing men and sent them sprawling to the pavement.

The prisoners described themselves as John Corbere, thirty years old, a scenario writer, living at the Union Square Hotel, and Abraham Short, twenty-one, of 501 East 100th Street.

Charles H. Voght and M. Raskin, who laid in a \$20,000 stock of silk shirts and neckwear yesterday in their loft on the third floor of 15 West Forty-fifth Street, say they saw two men loitering in the hallway when they left their place of business in the afternoon. About 7:30 p. m. Louis Oppenheimer, superintendent of the building, came upon them, it is alleged, bundling up silks in Voght & Raskin's establishment.

They fled to the ground floor, kicked the glass from the front door, which was locked, knocked down Special Patrolman Berkhauser, who sought to intercept them, and dashed northward into Sixth Avenue. Oppenheimer and Berkhauser, yelling "Stop thief," pursued them. Detective James McCoy, half a block down Sixth Avenue, heard the uproar and sprinted to the scene. His three shots drew so great a crowd to the chase that he feared to continue firing.

At Forty-seventh Street Patrolman Matthew Solomon thrust his foot between Corbere's legs. Corbere fell and Short piled on top of him. Both men were locked up in the East Fifty-first Street station on a charge of attempted burglary. Reserves had to be sent from the station house to disperse the excited throng.

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Many of these new Undergarments are exceptionally fine, the materials being of the daintiest imaginable order, and the hand-wrought needlework and lace with which they are adorned being extraordinarily beautiful. There are, of course, other models that, while just as lovely, are of a simpler character; and these will, in many cases, make a more direct appeal than the ultra-elaborate pieces.

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